



07-07-05

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No.: 10/032,717
Confirmation No.: 5409
Applicant(s): Abad et al.
Filed: October 23, 2001
Art Unit: 1638
Examiner: Anne R. Kubelik
Title: GENES ENCODING NOVEL BACILLUS THURINGIENSIS PROTEINS WITH PESTICIDAL ACTIVITY AGAINST COLEOPTERANS [Title as Amended 5/29/03]

Docket No.: 035718/237005 [Formerly 35718/237005(5718-118)]
Customer No.: 29122

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated May 6, 2005, rejecting the following Claims 1-3, 9-12, 17-19, 38, 43, 46, 49, 52, and 55-65.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- ☒ A check in the amount of \$500.00 is enclosed for large entity fee.
- ☐ Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.
- ☒ Any additional fee or refund may be charged to our Deposit Account No. 16-0605.
- ☐ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

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Respectfully submitted,

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Nora C. Martinez